G. R. S. IX-5]

Previous references. Previous

1917-18
(Police)

P42

File No. 95-17

Serial Nos. 1 to 8

Later references.

10

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 8

Part B for April 1918.

SUBJECT.

Complaint of Kori Hallappa Setti & others of Shimoga re-Setting up of Kama idols & Carrying them in procession

---

8) To Kori Hallappa Setty & others.
Shimoga

No J 4250 Dt 17-4-1918

States that Govt see no good grounds to interfere in the matter

To the Dist. Magistrate
Shimoga

No J 4251 Dt 17-4-18

Forward Copy of the above

Md Abdur Rahman
18-4-1918

W D 88—GPB—50,000—21-7-16

G. R. S. III—1]

1308

(1)

1917/16.

GENERAL AND REVENUE SECRETARIAT.

(Police)

NOTES.

File No. 95-17

FILE HEADING.

Complaint of Kori Mallappachetti & others of Shimoga re setting up of Kama Sidde & carrying them in procession.

From,

Korimallappachetti & others of Shimoga

No. Pol- Dated 5-12-17 Received 6-12-17

Diary No. 13308	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Returning their petition in the above matter duly stamped & copy of the Dy Comrs order.

NOTES AND ORDERS.

Subd- Any report be called for in the matter?

AR. 15-12-17 HH

2) Yes EM 17/12

NOTES—First Sheet.

WD 1232—GPB—20,000—18-11-16

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat.

Police File No. 95 of 1917-18

Serial No.	
	3) Draft cubed.
	Bh. 17.12.17 ZLL.
	4) Inwd
2	From The St Magte Shimoga No J 2174 Dt 19.12.17 Forwards the petition and calls for the report with the records of the Case.
	From Halappanalli Pet Dt 15.1.18.
	Reminder.
	From The Same ZL Dt 24.1.18.
	Reminder.
	5) A routine reminder was sent to D.M. Shimoga on 11.1.18 and an acknowledgment was received on 17.1.18. Subd. for orders with a draft.
	Bh. 24.1.18. NK
	6) Inwd
	Reminder to the D.M. Shimoga
	From The St Magte Shimoga No J C 477 Dt 26.2.18 Submits [illegible]
	From The Petitioners Pet Dt 6.3.18.
	Requests for early orders.
	7) Subd. for orders with references.
	Bh. 9.3.18 NK
	8) The letter of the District Magistrate explains the facts of the

NOTE—Contn. sheet.

WD 1233—GPB—60,000—1-12-16—S.

3

G. R. S. III-2]

General and Revenue Secretariat.

Police File No. 95 of 1917-18

Serial No.

Case. There has been a long standing dispute between the Brahmins & Lingayats of Shimoga in regard to the use of green flags during Kamana processions. To prevent an impending breach of the peace the Magistrate directed that the ~~parties~~ Lingayats who were not using the flag from the year 1891, who had consented not to use it then should not use the flag and that they should have established their right to use the same in a Civil Court. The District Magistrate has confirmed that order. Under S. 145 Cr. P. Code there is no appeal lies against the order to the Court or the Chief Court. Such orders generally in keeping with the discretion exercised by the District Magistrate in such matters in the interests of ~~breach~~ good order & peace, unless the orders are opposed to well established principles of law & justice.

9) In the present case, there is nothing to prevent the parties from establishing their right in a Civil Court. Nor is a point for order whether the order of the District Magistrate may be allowed to stand or may be reversed.

EB
17/3

✓ Dist. Mamby 10)

I agree that this is not a fit case for Govt. to interfere. The law is clear on the point.

15/3

11) Agreed EB 15/3

3211
15-9

NOTE—Contn. sheet.

2118 2205

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

14

General and Revenue Secretariat. | Police File No. 95 of 1917-18

	Serial No.	
		12) Draft endorsement subd. BK. 15-3-18. WK
		13) Issue today
20/3/18	4	To Shri Hallappa chetty & others 6/13 Shimoga No J 3804 D/16-3-1918 Informs that Govt do not see sufficient grounds to interfere in the matter To The Dt Magte Shimoga No J 3810 D/ 16/3/18 Forwd with copy for info
	5	From The Private Secy to H.H. no. 4819 D/20-3-18 Forwards a petition from Krishnappa and another of Shimoga in the same matter & calls for the papers.
		14) subd. The records have already been returned to the Dt. Magte. A draft calling for the same is put up for orders. BK. 22-3-19. WK
See A 20/3		15) Done
	6	To The Dt Magte Shimoga Dft No J 3931 D/ 23-3-1917 Requests that the records returned with this office Memo No 38 - Police D/16-3-18 may kindly be retransmitted to this office when done with.

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Police File No. 95 of 1917-18.

297
2318
2316

Serial No.	
	From The Private Secy to H.H. no. 4905-J 23.3.18 forwards for disposal a telegram from K Veerappa & others of Shimoga praying that the Dt Magte may be directed not to issue licence to either party until their appeal is settled
	From K. Veerappa & others dtd 23 3 18
16	Same as the above telegram Subd. The records called for from the Dt. Magte have not yet been received. RK 26.3.18.
17	Issued reminder RK 26/3
18	Subd. with a draft reminder RK 28/3/18 RK
19	Issue RK 28/3
	Reminder issued no. T 4010 J/30 3.18
	From The Private Secy. to H.H. no. 4951-J 26.3.18 forwards another telegram from K. Veerappa & Shimoga in connection
20	Subd. The records may be awaited. RK 30.3.18. RK
	From The Dist. Shimoga no. J.C. 477 of 17-18 dated 1.4.18 forwards the records
21	The records have to be subd. to H.H. Subd. with a D.S.N. RK. 3.4.18. RK

SWA 30/3

7

NOTE—Contn. sheet.

WD A 1739—GPB—60,000—20-3-18—S.

G. R. S. III-2]

General and Revenue Secretariat.

Police File No. 95 of 1917-48.

2326.

Serial No.	
	(2) D.S.N is submitted for favour of approval.
	Chief Secretary
5274 5/4/48	Dewan

Note—Contn. sheet.

WD A 1799—GPB—60,000—20-3-18—S.

Submitted to His Highness.

U
(page 26 of the collection)
(Pol 95-17-5).

3
(Pol 95-17-7)

(Pol 95-17-3)

Spl

With reference to Private Secretary's Memo No.4819 dated the 20th March 1918, forwarding a petition from Kori Veerappa and another of Shimoga, regarding grant of license to keep and parade Kama idol, I submit herewith the file relating to the subject as also the records obtained from the District Magistrate, Shimoga.

2. The facts of the case are contained in the District Magistrate's letter No.J.C.477 of 1917-18 dated 26th February 1918. It will be seen from the papers that this is not a fit case for Government interference.

M. Visvesvaraya
6th Apr. 1918.

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Papers relating to the petition from Kori Veerappa and another of Shimoga regarding the grant of license to keep and parade Kama Idol.

1153

Order.

KRW
8/4/18

Chief Secretary
9.4.18 GO

G. R. S. III-2]

2326

General and Revenue Secretariat. | Police File No. 95 of 1918

Serial No.	
	Subd. with a draft returning the records
	Issued 28/11/4
95	Sec. Koti Hallappa Setty & others
	C No 4250 Dt 17.4.18
	Asks that Govt see no good grounds to interfere in the matter
	2. The Dt Magte Chimoga.
	C No 4251 Dt 17.4.18
	Forwd with Copy of the above.

NOTE—Contn. sheet.

WD. A 1789—GPB—60,000—20-3-18—S.

29 NOV 1917

COURT FEE MYSORE TWO RUPEES

DIARY No. 1416

19 -19
SECTION
FILE 9517

GEN. & REV. SECRETARIAT III JUDICIAL 29 NOV 1917

To

The Secretary to the Government of His Highness
the Maharaja of Mysore,
General and Revenue Departments,
B A N G A L O R E.

Most Respected sir,

We, the undersigned (Lingayets and other merchants of Doddapetta, Shimoga) most humbly and respectfully beg to approach your Honour with the following representations of our grievances in the hope that they will meet with kind and benign consideration at the hands of the Government and justice will be done to us.

2 During the Kama festival in Shimoga, a number of Kamas are set up in the town, one in each street, and worshipped by different communities. A Kama is set up by Lingayats in Doddapetta.

3 Brahmins set up a Kama in Big Brahmins street, and put up a pendal and decorate it to their taste. They use flags of various colours including green, for the purpose of decorating their pendal. But we, the Lingayets of Doddapetta, have been for the past one or two years, prohibited from using green flags for our pendal.

4. The Brahmins seem to think that they, and they alone, have got the privelege of using the green flags on the occasion of the Kama festival; but to the best of our belief and knowledge, they cannot show any authority for their supposed right. They have not been granted any Sannad in this respect by the Sovereign power, nor has has any judicial decision conferred that right upon them.

5. Their claim to have the exclusive privelege in this matter is altogether unfounded, and does not exist in fact, except in their imagination. And this imagined right is being honoured and supported in very recent years by the officialdom of the

the District to the prejudice of a respectable community of place viz Liggayets.

6. It is interesting to note in this connection the growth or the development of this imaginary right. In years long past, the Lingayets used the green flags without any objection. The Brahmins who used to take their Kama in procession through Dodda-petta, wanted to have some preference or precedence over the lingayats, and so began to exert themselves to get an exclusive right. They then wanted the monopoly of the use of green flags for themselves. During the time of Mr. M.S. Narayana Rao, Deputy Commissioner, they took objections to the use of green flags by the Lingayats; but after some enquiry, he permitted the Lingayats to use green flags for their pendal.

7. The Brahmins again tried to deprive the Lingayats of the right to use the green flags during the time when MR. Mrithyunjaya Iyer was the vice president of the Municipality. But that officer threw out their objections as groundless, and allowed the Lingayats to use the green flags as usual.

8. But the Brahmins still persisted in their attempt, and enlisted the sympathy of the successors of that gentleman. One Kumbargundi Channabasappa, approached Mr. L. Krishnarao when he was the vice president here, for a license at the time of the Kama festival; he said that he would not give a license unless the applicant (Channabasappa) was prepared to lower their green flag from the top of the pendal down to the middle of it. That man, Channabasappa, who never knew that such an obstacle would be placed in his way of getting a licence, consented to that arrangement, because that was just the time when the festival had to be celebrated, and there was no time even to approach the higher authorities and get that order reversed. The other members of the community did not acquiesce in this arrangement, but their complaints was all a cry in the wilderness.

9. This continued till about last year. But the Brahmins who were all along greedy of usurping that right for

(12)

for themselves were not satisfied with this arrangement. They began to say that the Lingayats should altogether be prohibited from using the green flags for any part of their pendal, and strangely enough, their objection was duly respected; and when the Lingayats approached the authorities last year for a license, they were told that no green flags should be used for any part of their pendal, and that they should furnish two sureties for Rs .500/- each, and also deposit Rs .200/-cash as security for conforming to these conditions. The Lingayats appealed to the Deputy Commissioner and District Magistrate against this order, but they were given an endorsement to the effect that the order appealed against was "~~guide~~ quite right" without any reasons being assigned therefor.

10. The Lingayats were not this time prepared to meekly submit to the conditions, which certainly curtailed their preveleges, and naturally thought it better to stop the celebration of the festival than performing it under these unusual and unheard-of restrictions, and there was absolutely no time to appeal to Government. So the Lingayats did not perform the festival at all last year.

11. The Brahmins celebrated their festival with greater satisfaction at having achieved their long yearned object and went in procession through Doddapetta, where under the circumstances narrated above, the Lingayats did not set up their Kama this time.

12. The Lingayats sent a telegram to Government praying for orders prohibiting the Brahmins from taking their Kama in procession through Doddapetta, and this telegram was referred to the District Magistrate for disposal, but nothing was done in the matter.

13. There are about five months before us for the next Kama festival; and apprehending that the same sort of treatment would be meted out to us next time, we have now approached the Government in the hope that our grievances will be heard, that we will be restored to our rights, and that we will be allowed

13

allowed to celebrate our Kama festival without any molestation; and we most respectfully beg to urge the following facts for your Honour's kind consideration.

14. Every subject in the state has got an equal right, ~~is~~ irrespective of the caste, or creed to which he belongs; and it is the birth right of every subject to do what he likes, ~~provided~~ or to go where he likes, provided he keeps himself within the limits prescribed by law, and provided also, he does not infringe the rights of other subjects. If the Brahmins had had the monopoly of using the green flags to the exclusion of every other community in the state, and if such an exclusive right had its origin in the grant by the soverign power, no body would have raised any voice against it. But as already observed, such a right does not at all exist. Their claim to have the exclusive right in this respect is altogether unfounded. Other communities in this place have been using the green flags without any objection. Why the Lingayats alone should not use it, has never been explained. The use of the green flags by the Lingayts could not possibly cause any injury to any person or community; and the Lingayats are as loyal a class of subjects as any other class in the State.

15. The Brahmins may probably say that by mamool the Lingayats have no right to use the green flags. But there is no such mamool. The Lingayats have used the green flags up till last year. Even granting for purposes of argument that there is no mamool, and that the Lingayats have never used the green flags, would it be reasonable to prohibit them from using it hereafter? Would such an argument have any force whatsoever? Would a mamool, if any, which is highly unreasonable and opposed to all sense of justice, be countenanced by the law of the country? While every other community in Shimoga has been quite freely using the green flags for their pendals, why the Lingayats of Doddapetta alone should not be allowed to use it, simply because Brahmins object to it, is incomprehensible.

16. Again the Brahmins may say that because one kumbargundi Channabasappa took the license under certain restrictions as alluded to in para 8 supra, the rights of the Lingayats have been curtailed, and that they are not entitled to have them back That man, Channabasappa, is not the representative of the community, and it is just possible that he might have taken the license subject to certain conditions, because it is just at the time of the festival that licenses are applied for, and granted or withheld, and because he saw no other way of getting a license. But this fact will in no way affect the rights of other members or of the community as a whole.

17. The Brahmins have been taking their Kama in procession through Dodda-petta, while the Lingayats of Doddapetta are not permitted even to enter the Brahmins' street. As already submitted every subject in the state has got an inherent right to use the public street, provided his act is a lawful one, and it does not cause any disturbance to others. The rights of the Lingayats are as large as those of the Brahmins, because both are subjects alike, while the Brahmins are taking the Kama in procession through the street of Doddapetta, why the Lingayats should be restricted in taking their Kama in procession, we are at a loss to understand.

18. Of course, the local authorities are empowered to place necessary restrictions for the control of processions. They may, for instance, say that the Brahmins should pass through a certain street first, and then the Lingayats and so forth. These restrictions are necessary for the safety of the public, and for the prevention of the breach of peace. These restrictions do not in any away affect a man's rights. But to prohibit a man from doing a certain thing, which he, as a free born subject, has every right to do, and which people of other communities have been doing before our very eyes, is really an uncalled-for curtailment of a man's right as a citizen, which has to be highly resented for, from every standpoint of view.

165

19 What we pray for at the hands of the Government, is not the grant of any new right, but the permissionto the exercise of the one already existing, an inherent birth-right of every subject, free from molestation at the hands of Brahmins, who have been insisting upon the imposition of these restrictions, only with a view to self-agrandizement. The Brahmins may use the flags of any colour; we have no objection. The Brahmins have of late begun to take objections to the use of green flags by the Lingayats, not because they attach any perticular sanctity to the green colour, not because they will sustain any loss if other communities should use it, but because they want to gain some superiority over the Lingayats; and we beg to submit that it is highly unreasonable to allow one community to go on acquiring rights, at the cost and to the prejudice of other communities. What we contend for may at first sight, seem to be too trifle a matter. But men ~~began~~ begin to feel the value of a thing, however trivial it may be, only when they are deprived of it; and it is this undue deprivation of our ordinary rights as citizens that has driven us to the necessity of approaching the Government and seeking relief. What we respectfully beg to lay stress upon, is the fact that the ordinary rights of people should be duly respected, irrespective of caste or creed, and must not be allowed to be diminished, or taken away at the mere caprice of other communities; and we fervently hope that the Government will abolish the distinction, which is now sought to be created between Brahmins and Lingayats of Shimoga.

20. In conclusion we most humbly and respectfully pray that the Government may graciously be pleased to permit us to have this simple right, which is being enjoyed by every other community of the place but which is unfortunately being denied to us, only to suit the whims and caprices of Brahmins.

21 We also pray that this humble memorial may not be thrown out on any technical grounds, but the whole matter may be duly investigated , and considered in all its aspects, and

and the redress sought for may kindly be aforded to us.

We beg to remain,

Most respected Sir,

Your Hounour's most obedient servants,

Shimoga,

25th November 1917.

(1)

(2) D. Chaccaappa

(3)

(4)

(5) C. Govindadamis Chetty

(6)

(7)

(8)

(9)

(10)

(11)

(12)

(13)

(14)

(15)

(16)

(17)

(18)

(19)

(20)

(21)

17

17/W

p 2174 Encl

Pol 95-17 29 19 12/17

Memo

The accompanying petition received no. J 1308 dated the 5th December 1917 from Rori Halla Ppa with 2 others of Skuinogo are asking up to Krupa Idols & carrying them in procession is forwarded with enclosures, to the Dist. Inspr., Skuinogo Dist., for report with the records of the case.

By Order

for Dy. Secy to Govt.

Sh.
17.12.17

RETARIAT
II
JUDICIAL
19 JAN 1918
19/24
R. & REP. S.
19 JAN 1918
Pet 4-50
18
J 1619

To.

The Secretary to Government

General and Revenue Department

Bangalore

3395

Sir,

With reference to our application representing our grievances in the matter of performing the Kama festival in Shimoga, we beg to state that no reply has yet been received. As the next Kama festival is fast approaching, we pray that orders may kindly be passed early.

We beg to remain

Sir,

Your most obedient servants

15th January 18

Shimoga

K. Halappa

8

49

4053

GEN. & REV. SECRETARIAT III JUDICIAL 2 JAN 1918

127

C. 6 OA POSTS & TELEGRAPHS.

NOTICE.

This form must accompany any inquiry made respecting this Telegram.

Charges to pay: Rs. 1 Aa. [illegible]

Office Stamp. 1654

Handed in at (Office of Origin).	Date.	Hour.	Minute.	Service Instructions.	Words.
Shimoga	24	14	5		17

Recd. here at 14 H 18 M

TO

Secretary
mysore government bangalore

Rama festival fast
approaching pray early
orders regarding our
petition = Kotri Halappa

GEN. & REV. SECRETARIAT
TYPING Sec.
25 JAN 1918

G. R. S. VI—G/[illegible]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,
( )
, the *191* .

Date of issue 26/1/18

Signed by M. G. Srinivasa Ayy

Section
File No.
Serial No.

No. J 2846

To

The D. In. Stamps

I am inviting his attention to this office memo no. J 2174-Rd 95-17-2 dt. 19.12.17 calling for a report and recommending the grant of permission to Kalappasetti & others to sell Kaima idols taken in procession from the temple at request that the reply thereto may be expedited.

B. Green
Asst.

24.1.18.

Dy. Sec. to Govt.

8/21

No. J.C. 477 of 1917-18. Office of the District Magistrate,

Shimoga.

Dated Shimoga the 26th February 1918.

From

M.A. Narayana Iyengar, Esquire., B.A.,B.L.,

District Magistrate,

Shimoga.

To

C.S. Balasundaram Iyer, Esquire., B.A.,

Chief Secretary to the Government of His Highness

the Maharaja of Mysore, Bangalore.

Sir,

With reference to your official memorandum No. J. 2174 Pol- 95-17-2 dated the 19th December 1917 calling for a report with records regarding a petition for the grant of permission to Halappa Setti and others to set up Kama idols with green flags and take them in procession, I have the honour to submit herewith the records as per margin together with the report received from the Treasury Assist-ant Commissioner and 1st class Magistrate, Shimoga.

1. Records connected with Kama License for 1913-14.
2. Do for 1915-16.
3. Do for 1916-17.
4. Records in Criminal Miscellaneous No. 28 of 1914-15 on the file of the Treasury Assistant Commissioner Magistrate.
5. Copy of Chennabasappa's statement dated 10th March 1911.

2. For years past there appears to be a dispute between the Lingayets and Brahmins of Shimoga regarding the right to use green flags claimed by the people of Doddapetta who are chiefly Lingayets in decorating their pendal for setting up an image of Kama and taking it in procession. On the 10th March 1911, the Lingayets agreed to refrain from using the green flag and obtained a license Exhibit.A. from the then First class Magistrate and District Treasury Officer, the late Mr. L. Krishna Rao, for setting up their Kama and taking it in

GPB—100,000—29-7-14

1917-18

From

The District Magistrate,

Shimoga.

To

The Chief Secretary to the

Government of Mysore,

Bangalore.

Dated

Despatched 26th February 1918.

Received

General No. J.C. 477 of 1917-18

No.

Enclosure No.

Submits records with report re setting up of Kama idols with green flags in the Shimoga Town.

****

GEN. & REV. SECRETARIAT
III
JUDICIAL
28 FEB 1918

procession on that specific condition, amongst others. The licenses issued in 1914,1915, 1916 and 1917 also prescribe the same conditions. (Vide Exhibits.B.C.D. and E.). 76 M.R.Sol

3. On 1st March 1915 there was an apprehension of a breach of the peace between the Brahmins and Lingayets at Doddapetta on account of the Lingayets having put up two green flags to some poles close to their Kama pendal. The Treasury Assistant Commissioner and 1st class Magistrate Mr. Mahiruddin Mecci went to the spot, recalled the licenses both to the Brahmins and Lingayets and held a regular enquiry on their respective rights. On 31st May 1915, he passed orders stating that " To avoid all causes tending to a breach of the peace- it seems necessary to prohibit altogether the use of the green flag by the 2nd party (the Lingayets of Doddapetta) till he establishes his right to it in a court of civil jurisdiction." There was no appeal against this order.

Please see B.C.D. and marked 76 P to (Returned to the parties)

4. The question of granting licenses for procession is within the ordinary jurisdiction of Criminal Courts and is guided by a consideration of the rights of the parties, the mamool of the locality and the likelihood of breaches of the peace. The correct procedure of the petitioners for any redress of their grievance appears to lie in an application for a license, to be followed up by appeals to higher Criminal tribunals in case their prayer was not granted in the Lower Courts.

5. The petition received with the official Memorandum under reply is also herewith returned.

I have the honour to be,

Sir,

Your most obedient servant,

M. A. Narasimha

District Magistrate,

S,h i m o g a .

S.H.R.

9878 TIII K

To

2118

JUDICIAL
7 MAR 1918
Police.

The Secretary to the Government of H.H.the
Maharaja of Mysore, General and Revenue Departments,

B A N G A L O R E.

Most Respected Sir,

We, the Lingayats and others of Doddapetta, Shimoga, most respectfully beg to state that no order has yet been passed on our memorial representing our grievences in the matter of performing the Kama festival in Shimoga,

In addition to what has already been stated in our memorial, we respectfully beg to submit that the order passed by Mr. Zahiruddin Meccai, about a couple of years ago, cannot be taken ~~[illegible]~~ as perpetuating the present state of things, as that order was evidently passed under Section 144 of Criminal Procedure Code and as such, it cannot be in force for more than two months.

We further beg to invite kind attention to observations made by the Hon'ble Judges of our Chief Court in 4 Mysore Law reports 23; 13 Mysore Law Reports 1; 16 Mysore Chief Court Reports 35 ~~&21~~, 7 F 21 Mysore Chief Court Reports 18with regards to ~~single~~ Similar matters.

We fervently hope that the Government may be pleased to do away with the distinction sought to be made between community and community in the matter of exercising their inherent rights.

We pray most respectfully that early orders may kindly be passed in the matter, as there is a hardly a fortnight before the next festival.

We beg to remain,

Sir,

Your most obedient servants,

Dated Shimoga
the 6th March 1918

[illegible]
K.H.Valappasetty

10

4

J 3809/Encl
Pol 95-17-4

Endorsement from Col to Govt Halliffax
Residency Jaffna regg to their petition regarding the JT1218 dated 25.11.17
Selvi & others of Sluniya appealing against
the order of the Dt. Magt, Sluniya Dt. 49
6.3.1917 re grant of licence to them
to sell & to carry in procession
Kama idol.

By 16.3.18.

Mr. G. Sriniwasagam

The petitioners are informed
that Govt. do not see sufficient grounds to
interfere in the
matter.

The enclosure relating to
the petition is returned herewith.

By Order

J 3810 By 16.3.18.
Records

for Ch. Secy to Govt.

Copy to the Dt. Magt., Sluniya Dt.,
with reference to his letter No. J.C. 477 of 1917-15
The previous relating to the letter are
returned herewith.

By Order

for Ch. Secy to Govt.

B.L.
15-3-18

OFFICE OF THE PRIVATE SECRETARY
TO HIS HIGHNESS THE MAHARAJA OF MYSORE,

No. 4819/1

Bangalore 20th March 1918.

Secretary No. 12245.

11629

17 18
Price
95 17
5

Petition, as shown below, to His Highness the Maharaja is transferred to the Chief Secretary to the Government of His Highness the Maharaja of Mysore, ~~Department~~, Bangalore, for submission of papers in the case.

No. 911 of 17-18.

By Order,

Private Secretary
to His Highness the Maharaja of Mysore.

GBPM—1,000—28-10-16.

OFFICE OF THE PRIVATE SECRETARY
TO H. H. THE MAHARAJA OF MYSORE
911
20 MAR 1918

2A

J 2245

To

HIS HIGHNESS

Sree Krishnarajendra Wodayar Bahadur, G.C.S.I.,

MAHARAJA OF MYSORE.

May It Please Your Highness:

We, the memorialists on behalf of the Lingayats and other residents of Doddapete, Shimoga, most humbly and respectfully beg leave to approach Your Highness with this our humble representation.

Every year during the "Kama Festival" a number of Kama Idols are set up in different parts of the Town of Shimoga one in each street and worshipped by different communities. The Lingayats, set up their Kama in Doddapete and the Brahmins theirs, in the Big Brahmin Street. People of different communities including the Brahmins erect pendals and decorate them to their taste by hoisting flags of various colours including green and carry the procession of Kama in the various important Streets. But the Lingayats and other residents of Doddapete, who had long been enjoying similar rights, have been for the past two years, prohibited from using green flags and carrying the procession through that part of the street where the Brahmins live.

The Brahmins who used to carry their Kama in procession through Doddapete intending very lately to establish some social preference over the Lingayats, began to hoist themselves as entitled to an exclusive right of hoisting green flags. During the time of Mr. M.S. Narayana Rao, Deputy

(27

Commissioner, the objection of the Brahmins was found - frivolous after some enquiry and the Lingayats were permitted to make use of green flags as usual. When Mr. Mrithyunjaya Iyer was the Vice President of the Municipality, the same question again cropped up, but the objection of the Brahmins was again thrown out as groundless.

The Brahmins having persisted in their attempt enlisted the sympathy of the successor in office of Mr. Mrithyunjaya Iyer. One Kumbaragundi Channa Basappa, who was very eager then to obtain license approached Mr. L. Krishna Rao, the then Vice President, who refused to give a license unless the applicant was prepared to undertake to lower green flags from the top of the Pendal to the middle of it and keep it at half-mast. The applicant was obliged to consent as he had no time to appeal to the Higher Authorities, as that was just the time when the festival had to be celebrated. The other members of the Community did not acquiesce in the arrangement but their complaint was of no avail.

The Brahmins having not been satisfied even with this arrangement, protested against the hoisting of green flags altogether by the Lingayats on any part of the P endal, and their objection was duly respected by the ~~in~~ local officers. Lingayats when approached the authorities for a license, they were told that no green flags should be used in any part of their Pendal, and that they should furnish 2 surities for Rs.500/- each and also deposit Rs.200/- in cash as security for conforming to these conditions on failure of which no license would be given. The Lingayats appealed to the - Deputy Commissioner, but they were given an endorsement to the effect that the order appealed against was "quite right." without sufficient reasons being assigned for this social injustice.

12

As there was hardly any time to appeal against the order, the Lingayats, thought it better not to celebrate the festival than to subject themselves to suchdifferential treatment at the hands of determined and prejudiced authorities. The Brahmins were allowed and even assisted by the authorities to celebrate the festival and to carry the procession in triumph through the very Doddapet.

Then the Lingayats sent a Memorial to the Secretary to the Government on 25th November, 1917, and a kind perusal of the same, a copy of which has been submitted herewith, will, we trust be able to convince how ~~prejudiced and~~ unfairly we have been treated in the matter of celebrating the time-honoured Kama Festival, merely to suit the caprices of the members of a single community, who have not as yet been able to establish their alleged privilege either in a Court of Law or by way of grant of a Royal Sannad. The right to fly green flags and the right to go in processions through the public streets are rights inherent in every individual citizen without distinction of caste or creed, and such rights are being enjoyed by members of other Communities in Shimoga. Why Lingayats alone should be prohibited from flying green flags and from carrying the processions through portion of the street occupied by Brahmins and some Lingayats, when the former are allowed to have free - access to the portion occupied by Lingayats, though it is one continuous road, is not made clear by the recent Government Order No.J.3809 Encl. 1/PQ1.95-17-4 dated 16-3-1918, which has reached our hands just one week before the commencement of the festival. The Privilege of Lingayats to carry the procession through the whole street, as well as to fly green flags is as old at least as the right of the Brahmins. It is not any exclusive or exceptional right or privilege

which the Lingayats claim. The Brahmins with the help of officers of their own caste now seek to impose a disability upon the Lingayats.

The Memorial to the Secretary to the Government was submitted as far back as the 31st October 1917. It was not until we sent more than one remainders and prayed by telegram for early orders in view of the approaching festival, that we have been favoured with the said Government Order dated 16-3-1918, which has completely over-looked our claims, by saying that they do not see sufficient grounds to interfere in the matter, though there are ample grounds for the Government to interfere and to allow us to celebrate the festival as usual on grounds of social equity and equality and thus to remove an uncalled for interference since 2 years.

As there is hardly a week before us, for the celebration of the festival this year, we most humbly and respectfully pray that Your Highness may graciously be pleased to do away with the distinction sought to be unjustly enforced between community and Community merely to suit the whims and caprices of the members of a single community who cannot be said to lay claim to any greater privileges than the other communities are entitled to.

In the cicumstances it is prayed that Your Highness will be graciously pleased to restore the right of the Lingayats which is vexatiously interfered with since 2 years and establish an equality of all classes of Your Highness' subjects in the enjoyment of their legitimate rights.

We beg to remain,

Your Highness' Most Obedient & Loyal Subjects,

Bangalore
20th March, 1918

ಮೈಸೂರು ಪ್ರಾಂತ್ಯದ ಪ್ರಜೆಗಳು

14

COURT FEE ಕೋರ್ಟ್ ಫೀ
೨ ರೂ TWO RUPEES ೨-ರೂ

In the matter of the celebration of the Kalma Festival, Shimoga ಶಿವಮೊಗ್ಗಾನಲ್ಲಿ

ಸನ್ 191 —191 ನೇ ಇಸವಿ ನಂಬರು

Mohammedans ವಾದಿ

1. Koni Veerappa
2. G. Chamabasappa

ಪ್ರತಿವಾದಿ

VS

1. ಈ ಕೆಳಗೆ ರುಜು ಮಾಡಿರುವ ನಂ. ಹೆಸರು ..... ಇದರಿಂದ ಮೇಲ್ಕಂಡ ಮೊಕದ್ದಮೆಯನ್ನು ನಿ.ಮಿತ್ತ ಪರವಾಗಿ ಕಡೆಯವರೆಗೂ ವಿವಾದವನ್ನು ನಡೆಸಲು ಮಿಸ್ಟರ್ ಜಿ. ಪರಮಶಿವಯ್ಯ, B.A., LL.B., ಯವರಿಗೆ ವಕಾಲತ್ತನ್ನು ಕೊಟ್ಟಿದೆ.

2. ಮೇಲ್ಕಂಡ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ..... ಪರವಾಗಿ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ, ಡಿಕ್ರಿಯನ್ನೂ ಜಾರೀ ಮಾಡಿ ಹಣ ವಸೂಲ್ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ, ಬಂದ ಹಣಕ್ಕೆ ರಸೀದಿ ಕೊಡುವುದಕ್ಕೂ, ಕೋರ್ಟಿನಿಂದ ರೀಫಂಡ್ ಸ್ಟ್ಯಾಂಪನ್ನು ವಾಪಸು ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೂ ಮತ್ತು ದಸ್ತಾವೈಜುಗಳನ್ನು ವಾಪಸು ಪಡೆಯಲಿಕ್ಕೂ, ಸಂದರ್ಭಾನುಸಾರ ನಡಿಸಬಹುದಾದ ನ್ಯಾಯಾನುಗುಣ್ಯವಾದ ಎಲ್ಲಾ ನಡವಳಿಕೆಯನ್ನು ನಡಿಸುವದಕ್ಕೂ ಸಹ ಇದರಿಂದ ನಿಮಿಗೆ ಸಂಪೂರ್ಣವಾದ ಅಧಿಕಾರ ಕೊಟ್ಟಿದೆ.

3. ಈ ಆಧಾರದಮೇಲೆ ನೀವಾಗಲಿ ಮತ್ತು ನಿಮಗೋಸ್ಕರ ಮತ್ತ್ಯಾವ ಲಾಯರೇ ಆಗ್ಲಿ ನೂಡುವ ಮೇಲ್ಕಂಡ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ..... ಖುದ್ದು ನಡೆಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧ.....ಗಿ ಈ ಕೆಳಗೆ ರುಜು ಮಾಡಿದ್ದೇ .

4. ಅಲ್ಲದೆ.....ನಿಮಗೆ ಸಲ್ಲತಕ್ಕ ಫೀಜಿನ ಮೊಬಲಗನ್ನು ವೂರಾ ವಾವತಿ ಮಾಡಲು ..... ತಪ್ಪಿದಲ್ಲಿ ನೀವು ಮೇಲ್ಕಂಡ ಮೊಕದ್ದಮೆಯಿಂದ ವಿತ್‌ಡ್ರಾ ಆಗುವುದಕ್ಕೂ ಸಹ ಈ ಮೂಲಕ ನಿಮಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟಿದೆ.

ಶಿವಪ್ಪ ವೀರಪ್ಪ
ಶಿವಪ್ಪನ ಬುಟ್ಟವ

ಒಪ್ಪಿದ್ದೇನೆ.
G. P.

ಕಕ್ಷಿಗಾರ ಬಲ್ಲವ ಗಿದ್ದಾ.

ನನ್ನ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿದ್ದಾ
G. Paramashivaiah.

Bangalore City
20-3-18

ಕ್ರೌನ್ ಎಲೆಕ್ಟ್ರಿಕ್ ಪ್ರೆಸ್ ಮೈಸೂರು.

REC'D
25 MAR 1918

No. 4905

OFFICE OF THE PRIVATE SECRETARY
TO HIS HIGHNESS THE MAHARAJA OF MYSORE.

Bangalore 23rd March 1918.

11994
GEN. & REV. SECRETARIAT
III
JUDICIAL
25 MAR 1918

Petition, as shown below, to His Highness the Maharaja is transferred to the Chief Secretary to the Government of His Highness the Maharaja of Mysore, ~~... Department,~~ Bangalore, for disposal.

Telegram No. 917 of 17-18

By Order,

For Private Secretary
to His Highness the Maharaja of Mysore.

GBPM—1,000—18-2-1918

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,

( )

, the *191* .

Date of issue 23-3-918

Signed by Mr G Srinivasa

Section Police

File No. 95-17

Serial No. 6

No. J3931

To

The Dt. Magte. Shimoga Dt

Has the honour to request that the records relating to the grant of licence to the Doddpet people to keep a parade idol Rama & returned with this office memo No. J3810-Police dated the 16th March 1918 may be retransmitted to this office as an early date.

By Order

over.

22.3.18. JPN

Asst. Sec. to Govt.

C. POSTS TELEGRAPHS

NOTICE.

This form must accompany any inquiry made respecting this Telegram.

Charges to be Rs. As. Ord. Stamp

OFFICE OF THE PRIVATE SECRETARY TO H.H. THE MAHARAJA OF MYSORE 25 MAR 1916

Handed in at (Office of Origin).	Date.	Hour.	Minute.	Service Instructions.	Words.
Shimoga	23	10	55		50

To reply Paid one rupee

Recd. here at 12 hrs M.

his highness Srimat Kanthirava Narasimharaja Wodeyar Bahadur G C S I maharaja of mysore Bangalore

Respectfully pray early orders regarding Krishna festival license not granted us praying

N.B.—The name of the Sender, if telegraphed, is written after the text.

15

Lal Chand & Sons 839—1917—1,00,000 Bks (Edn. I)

This form must accompany any inquiry made respecting this Telegram. | Rs. | As.

Handed in at (Office of Origin).	Date.	Hour.	Minute.	Service Instructions.	Words.

TO

Recd. here at H. M.

Praying wire district magistrate not to issue licence both the community unless own appeal settled

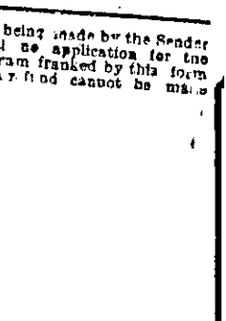
K Veerappa Lingayato and others

N.B.—The name of the Sender if telegraphed, is written after the text.

Lal Chand & Sons—839—1917—1,00,000 Bks (Edn. I)

INLAND REPLY VOUCHER.

A sum of *R one only A mt having been deposited for a T[illegible]
Telegram No. 95 handed in at Shimoga at 10 H 55 [illegible]
Form will be accepted within two months of the date of its issue at any Telegraph [illegible]
ment or in part payment, as the case may be, of a Telegram.



Signature of Issuing Clerk 1881 Mo-ottus

* NOTE.—The sum paid must be written in words, not in figures.

N.B.—If this form be not used, the amount deposited will be returned to the Sender of the original Telegram on application being made by the Sender to the Assistant Accountant-General, Telegraph Check Office, Calcutta, within two months of the date of issue. After that interval no application for the return of the amount will be entertained. This form must be produced when the application is made. If the charge for the telegram franked by this form is less than the amount deposited, the difference, if it be not less than eight annas, will be refunded to the Sender as stated above. A refund cannot be made on a Reply telegram form which has been prepaid by another Reply telegram form and not by cash or stamps.

ADDITIONAL SPACE FOR STAMPS.

The *ACCURACY* of telegrams is not guaranteed—the Sender must accept *ALL RISKS* arising from non-delivery, errors or delays. *Complaints* respecting this telegram should be addressed to the Director-General of Posts and Telegraphs, Traffic Branch, Calcutta, within two months of the date of the telegram. The receipt granted for the telegram should be enclosed with the reference. For detailed rules, see the *Telegraph Guide* (price 4 annas).

Gulab Singh & Sons, Calcutta—

(84.

C. Chief Secretary's Office — 3.18

POSTS TELEGRAPHS. DEWAN'S O. P. B.

Date of [illegible] 25/2/18

NOTICE.

This form must accompany any inquiry made respecting this Telegram.

Charges to pay. Office Stamp.

25/3/18 25/3 REVENUE SECRETARIAT III 15 MAR 1918 GENERAL SECRETARIAT III JUDICIAL 25 MAR 1918 23MR 18

Handed in at (Office of Origin)	Date	Hour.	Minute.	Service Instructions.	Paid.	Words.
Shimoga	R3	9 10	15			40

Recd. here at 11 H. 16

TO Reply Rs one rupee

Sir M Visvesvaraya dewan

Cochin of Mysore Bangalore

license not granted us for Hally

fort praying wire destruct-Mangat

not to issue license both the

Community unless our appeal

settled

= K Veerappa Inspector and others

N.B.—The name of the Sender if telegraphed, is written after the text.

Lal Chand & Sons—839—1917—1,00,000 Bks. (Edn. I)

G. R. S. VI—G/32]

SUBJECT Reminder

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,
( )
, the 191

Date of issue 30-3-1918

Signed by Mr G Srinivasa
D/ Sect

Section Police
File No. 95-17
Serial No. —

No. J4010

To The District Magistrate,
Shimoga District.

In inviting his kind attention to this office docket No. J 3931/Police 95-17-6 dated the 23rd March 1918 calling for the records of the case re the grant of license to the Dodpet people of Shimoga to keep and parade Kama idol, has the honor to request that the records referred to may be retransmitted to this office immediately.

By Order,

For Ch: Secy to Govt

28/3/18

No. 4951
1

OFFICE OF THE PRIVATE SECRETARY
TO HIS HIGHNESS THE MAHARAJA OF MYSORE.

Bangalore 26th March 1918

D 12340

SECRETARIAT
JUDICIAL
28 MAR 1918

Petition, as shown below, to His Highness the Maharaja is transferred to the Chief Secretary to the Government of His Highness the Maharaja of Mysore, ... ~~Department~~, Bangalore, ~~for~~ in continuation of this office No. 4819 dated 20th March 1918.

No. 928 of 17-18.

By Order,

Private Secretary
to His Highness the Maharaja of Mysore.

GBPM—1,000—18-2-1918

(37)

C. POSTS TELEGRAPHS.

NOTICE.

This form must accompany any inquiry made respecting this Telegram.

Charges to pay.	
Rs.	As.
	928

Office Stamp.

Handed in at (Office of Origin).	Date.	Hour.	Minute.	Service Instructions.
Shimoga	25	19	40	

Recd. here at 20 H. 13 M.

TO Private secretary
To His Highness the maharaja
of mysore Bangalore

Repectfully pray no orders
to our appeal and wire licens
not favoured us till now
district magistrate not in
town pray license by wire

N.B.—The name of the Sender, if telegraphed, is written after the text.

Lal Chand & Sons—839—1917—1,00,000 Bks. (Edn. 1)

17

(38)

No. J. C. 477 of 1917-18. Office of the District Magistrate,
Shimoga District.
Dated Shimoga, the 26th March 1918.

From

M. A. Narayana Iyengar, Esquire., B.A.,B.L.,
District Magistrate,
S h i m o g a .

J. C. 477

12376

To

C.S. Balasundaram Iyer, Esquire., B.A.,
Chief Secretary to the Government of His Highness
the Maharaja of Mysore, B a n g a l o r e .

Sir,

With reference to your No. 3931 Pol. 95-17-6 dated the 23rd instant requesting to send the records relating to the grant of license to the Doddpet people to keep and parade Kama idol, I have the honour to submit herewith the records as per margin.

1. Records connected with license for 1913-1914.
2. do 1915-1916.
3. do 1916-1917.
4. Records in Miscellaneous No. 28 of 1914-1915.
5. Copy of Channabasappa's statement dated 10th March ~~1915~~ 1911.
6. Letter No. 65 dated 22nd January 1918 from the Treasury Assistant Commissioner Magistrate, Shimoga.

I have the honour to be,
Sir,
Your most obedient servant,
B Bhimarao
For District Magistrate,
Shimoga District.
(Absent from Head Quarters.)
Rau

S.H.R.

28/3/18 Form

GPB—100,000—29-7-14

30/3 1917-18.

From

The District Magistrate,
Shimoga.

1962

To

The Chief Secretary to Government
of Mysore, Bangalore.

Dated 26th March 1918.

Despatched 28 " " —.

Received

General No. J.C. 477 of 1917-18.
No.

Enclosure No. one file of records.

Submits records re grant of license to Doddapetta people of Shimoga for setting up and parading Kama Idol etc.

&&&&&&&&&&

Rec'd 3.45

SECRETARIAT
30 MAR 1918

(39

No. 65
Enc. 1 Petition
& fine files.

Office of the Treasury Assistant Commissioner,
and Second class Magistrate, Shimoga.
Dated Shimoga the 22nd January 1918.

From

B. Bhima Rao, Esquire.,
Ag. Treasury Assistant Commissioner and
Second class Magistrate, Shimoga.

6902 | 17:

To

M. A. Narayana Iyengar, Esquire., B.A.,B.L.,
District Magistrate,
Shimoga.

Sir,

With reference to your memo J.C. 477 dated the 22nd December 1917 forwarding for detailed report with the connected records, the petition of Kori Halappa Setti and others of Shimoga re:the setting up of Kama received with Secretary's No. J. 2174 Pol. 95-17-2 dated 19th December 1917, I have the honour to forward herewith the records noted in the margin connected with the issue of license in the Shimoga town re:the setting up of Kama. The records found relate to the issue of license in 1913-14 to 1916-17.

1. Records connected with Kama license for 1913-14.
2. Do for 1915-16.
3. Do for 1916-17.
4. Records in C.Mis. C. 28 of 1914-15 of this court.
5. Copy of Channabasappa's statement dated 10th March 1914.

2. As regards the points urged in the petition under reference, it is clear from the license issued on 2nd March 1914 to Joliapeta Kama, the use of the green flag was strictly prohibited to any part of the Pendal erected for setting up the Kama. (Vide Para 4 of the license.),

and the records show that the festivities were observed during that year under the conditions set forth in the license. If such a restriction was against the mamool, the Doddapetta people could not have consented to such a condition being introduced in the license if that were the first time. It is also a thing to be noted that this Kama feast is an observance by the community as a whole in public, but not in individual houses separately. As such the petitioners now stating, that they were not responsible for the consent given by one Kumbargunti Channabasappa is merely a plea set forth to make their petition a plausible one.

3. In the year 1914-15, the Brahmins appear to have taken objection for the Doddapeta people for decorating their pendal with green flags in contravention to the conditions of the license. This was enquired into by the then Treasury Assistant Commissioner Magistrate in Miscellaneous Case No. 28 of 1914-15. The records in the case show that the Doddapeta people put forth the several points now urged in the petition and the Magistrate after due consideration referred the party to the Civil Court for obtaining a final decision in the matter and prohibited the use of the green flag. In the course of the order the mamool practices have been fully discussed.

4. Further, licenses were issued to Doddapeta people on 19th March 1916 and 5th March 1917 prohibiting the use of green flag, but the Doddapeta people did not observe the festivities only in March 1917.

5. In conclusion, it is a matter for consideration that Mr. Zahiruddin Mecci, the then Treasury Assistant Commissioner Magistrate who held a regular enquiry with regard to the use of green flag by the petitioners and recorded the evidence adduced by both the parties, has finally referred the petitioners to the Civil Court before they begin to use the green flag. There was no appeal against this order and it still remains final. The petitioners have failed to establish their right to use green flag in a competent court of Law. As such their claim now either to set aside the order of the 1st class Magis

tr

(41

Magistrate passed on the 31st May 1915 or to reopen the matter on this Miscellaneous petition is not in accordance with any law. The only remedy for the petitioners is to establish their right in a Civil suit.

I have the honour to be,

Sir,

Your most obedient servant,

B B [illegible]

Ag Treasury Assistant Commissioner

and Second class Magistrate,

S h i m o g a .

(42

15-17-8

J 4250 Encl 8 17 4 18

Endorsement granting to Koniveraiya
& G. Chamanbaraiya & Shrinivasa in
reply to their petition addressed no.
J 2265 8/20-3-18 addressed to H.H. the
Maharaja of Mysore re grant of
license to them to sell opium & ganja
Kama. idol.

~~J 4251 (Records) 8~~

The petitioners are informed that
Govt. take no further
action in the matter.

The enclosures received with the
petition are returned herewith.

By Order
Sd 11/4
Asst. Sec. to Govt.

by M.r G. Srinivasa Rao

J 4251 (Records)
8 17-4-18.

Copy of the above is forwarded to
the Dy. Insp. Schools with reference
to his letter no. J.C. 477 of 1917-18 8/ 26.3.18
The records received with the letter are
returned.

By Order
Sd 11/4
Asst. Sec. to Govt.

Dy Insp
Mys

8/ 11.6.18.